

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SERVANDO ALONSO FLORES,

Petitioner,

v.

ICE FIELD OFFICE DIRECTOR,

Respondent.

CASE NO. C20-538 MJP

ORDER DISMISSING PETITION
AS MOOT

Petitioner initiated this habeas action under 28 U.S.C. § 2241 to obtain release from detention at the Northwest ICE Processing Center or a bond hearing. (Dkt. No. 1-1.) After Magistrate Judge Theiler prepared a Report and Recommendation (Dkt. No. 16), Respondent filed a notice that Mr. Flores has been removed from the United States (Dkt. No. 18). Respondent requests the Court dismiss the petition as moot. (Dkt. No. 18 at 3.)

Under Article III of the U.S. Constitution, federal courts may adjudicate only actual, ongoing cases or controversies. Deakins v. Monaghan, 484 U.S. 193, 199 (1988). “For a habeas petition to continue to present a live controversy after the petitioner’s release or deportation . . .

1 there must be some remaining ‘collateral consequence’ that may be redressed by success on the
2 petition.” Abdala v. I.N.S., 488 F.3d 1061, 1064 (9th Cir. 2007). Because Petitioner’s habeas
3 petition challenges only the length of his detention at the Northwest ICE Processing Center, his
4 claims were fully resolved by release from custody. See id. at 1065. Accordingly, there is no
5 collateral consequence that could be redressed by the Court, and Petitioner’s habeas petition
6 must be dismissed as moot. See id.

7 The Court DISMISSES Petitioner’s habeas petition as MOOT.

8 The clerk is ordered to provide copies of this order to all counsel.

9 Dated December 7, 2020.

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11 Marsha J. Pechman
12 United States District Judge
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